VENTURINI & ASSOCIATES 230 Park Avenue, Suite 545 New York, NY 10169 (212) 826-6800 Attorneys for Defendant

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

KA HOLDINGS OF NEW YORK, LTD. a/k/a KA HOLDINGS LTD OF NY a/k/a KA HOLDINGS LTD.,

Case No. 07 Civ. 9675 (SCR) (LMS)

Plaintiff,

-against-

CHRISTOPHER CHAGARIS,

DEFENDANT'S MOTION TO DISMISS COMPLAINT AND MOTION TO DISMISS AMENDED COMPLAINT

STIPULATION REGARDING

Defendant. ----x

WHEREAS, Hanfords Creations, LLC ("Hanfords") commenced this action by filing its Verified Complaint dated October 31, 2007; and

WHEREAS, defendant Christopher Chagaris ("Defendant") filed a motion to dismiss the Verified Complaint on March 21, 2008; and

WHEREAS, plaintiff filed an Amended Complaint dated June 17, 2008, which substitutes KA Holdings of New York, Ltd. a/k/a KA Holdings Ltd. of NY a/k/a KA Holdings Ltd. ("Plaintiff"), as the real party in interest, for Hanfords; and

WHEREAS, Defendant's motion to dismiss the Verified Complaint is moot as the Amended Complaint is now the operative pleading; and

WHEREAS, Defendant intends to move to dismiss the Amended Complaint;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for all parties to this action that:

- 2. The deadline for Defendant to respond to the Amended Complaint is hereby adjourned to and including July 14, 2008.
- 3. Plaintiff shall serve and file papers in opposition to any motion by Defendant to dismiss the Amended Complaint by August 4, 2008.
- 4. Defendant shall serve and file reply papers in further support of any motion to dismiss the Amended Complaint by August 25, 2008.
 - This stipulation may be filed with the Court with electronic signatures of counsel.

Dated: New York, New York June 25, 2008

JOHN M. VOELP, ESQ.

John M. Voelp

8 John Walsh Blvd., Saite 411

Peekskill, NY 10566 (914) 739-9500

Attorneys for Plaintiff

VENTURINI & ASSOCIATES

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Attorneys for Defendant

SO ORDERED:

ON. STEPHEN C. ROBINSON, U

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